

Message Text

CONFIDENTIAL

PAGE 01 STATE 009116
ORIGIN EA-09

INFO OCT-01 ISO-00 DHA-02 L-03 CIAE-00 INR-07 NSAE-00
PM-04 NSC-05 SP-02 SS-15 H-01 /049 R

DRAFTED BY EA/PHL:DPSULLIVAN:KA
APPROVED BY EA:RHMILLER
EA/PHL:BAFLECK
EA/RA:DHARRIS
D/HA:SPEAR
-----142102Z 047589 /71
P 142028Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY MANILA PRIORITY

C O N F I D E N T I A L STATE 009116

E.O. 11652: GDS

TAGS: SHUM, PFOR, RP, US

SUBJECT: PART TWO OF HUMAN RIGHTS REPORT

REF: MANILA 570

1. HIRC HAS REQUESTED DECLASSIFICATION OF DEPT'S ANSWERS TO FOUR EXTRA QUESTIONS RE HUMAN RIGHTS IN PHILIPPINES CONTAINED IN CHAIRMAN MORGAN'S LETTER OF OCTOBER 5 (SEE PAGE 35 OF COMMITTEE PRINT PREVIOUSLY POUCHED TO EMBASSY). ANSWERS, PROVIDED TO COMMITTEE IN CLASSIFIED FORM DEC 3, WERE PREPARED WITH LIKELIHOOD EVENTUAL REQUEST FOR DECLASSIFICATION IN MIND.

2. IN LIGHT PHIL REACTION TO RELEASE OF BASIC REPORT, WOULD APPRECIATE YOUR THOUGHTS ON BEST TIMING FOR INFORMING COMMITTEE WE HAVE NO OBJECTION TO RELEASE OF ANSWERS TO EXTRA QUESTIONS. OUR TENTATIVE CONCLUSION IS THAT
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 009116

OPTIMUM TIME IS EARLY NEXT WEEK SEVERAL DAYS PRIOR TO JANUARY 20, BUT WE WISH YOUR VIEWS.

3. ANSWERS COVER JUST OVER SIX PAGES SINGLE SPACED DRAFT, ORGANIZED AS FOLLOWS:

A. EVALUATION CHAPTER 2 OF AI REPORT DESCRIBES REPORT'S

CONCLUSIONS AND RECOMMENDATIONS ENDING WITH FOLLOWING
DEPT EVALUATION:

QUOTE: THE DEPARTMENT OF STATE HAS NO BASIS FOR QUESTIONING, IN THE LIGHT OF AVAILABLE EVIDENCE, THE ESSENTIAL VALIDITY OF MANY OF THE FACTUAL STATEMENTS SET FORTH IN CHAPTER 2 OF THE AMNESTY INTERNATIONAL REPORT AS ELEMENTS OF THE SITUATION PERTAINING AT THE TIME OF THE MISSION'S VISIT. THE DEPARTMENT OF STATE NOTES THAT THE AVAILABLE EVIDENCE APPEARS TO BE INCONCLUSIVE AS TO WHETHER THOSE DETAINEES ALLEGED TO BE MEMBERS OF THE COMMUNIST PARTY OF THE PHILIPPINES/MARXIST-LENINIST AND/OR ITS MILITARY ARM, THE NEW PEOPLE'S ARMY, WHICH REPRESENT A SUBSTANTIAL PORTION OF THE PRISONERS INTERVIEWED BY THE AMNESTY INTERNATIONAL MISSION, HAVE BEEN CHARGED WITH REBELLION OR CONSPIRACY TO COMMIT REBELLION, AS CLAIMED BY THE PHILIPPINE GOVERNMENT, OR ARE BEING HELD WITHOUT CHARGE. THE DEPT OF STATE IS UNABLE TO CONFIRM INDEPENDENTLY THAT ALL PRISONERS CLAIMING TO HAVE BEEN TORTURED OR MALTREATED WERE SO TREATED BUT DOES NOT QUESTION THE VALIDITY OF THE ASSERTION THAT TORTURE AND MALTREATMENT HAVE OCCURRED. WHILE NOTING THIS, THE DEPARTMENT OF STATE DOES NOT CONSIDER THAT THE AVAILABLE EVIDENCE PROVIDES AN ADEQUATE BASIS FOR JUDGING WHETHER THE EMPLOYMENT OF TORTURE WAS WIDESPREAD OR PART OF A GENERAL APPROACH TO THE TREATMENT OF SUSPECTS. END QUOTE

B. EVALUATION AMRSP REPORT DESCRIBES CONTENTS AND CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 009116

CLUDES:

QUOTE: ASIDE FROM THE REPORT'S ANALYSIS OF THE ROLE AND EFFECTS ON PHILIPPINE SOCIETY OF PRIVATE FOREIGN INVESTMENT IN THE COUNTRY, SET FORTH IN THE INTRODUCTION, AND THE USE OF CERTAIN EMOTIONALLY-LADEN ADJECTIVES IN THAT SECTION OF THE REPORT, THE DEPARTMENT OF STATE DOES NOT TAKE EXCEPTION TO THE FACTUAL MATERIAL SET FORTH IN THE REPORT. WITHIN THE LIMITS OF AVAILABLE INDEPENDENT DATA, THE REPORT APPEARS TO BE BASICALLY VALID. IN THIS CONNECTION, IT IS WORTHWHILE TO NOTE THAT THE DATA GATHERING FACILITIES OF THE AMRSP CONSTITUTE THE MAIN SOURCE OF INFORMATION ON POLITICAL PRISONERS AND THEIR TREATMENT AVAILABLE TO PERSONS INTERESTED IN THE SUBJECT. AS SUCH, DATA COLLECTED AND PUBLISHED BY THE AMRSP HAS SERVED AS THE STARTING POINT IN THE COLLECTION OF INFORMATION AND INVESTIGATIVE LEADS FOR VIRTUALLY ALL OTHER INVESTIGATORS, INCLUDING THE AMNESTY INTERNATIONAL MISSION WHOSE REPORT HAS PREVIOUSLY BEEN DISCUSSED. END QUOTE

C. EVALUATION OF GOP REACTION LISTS STEPS TAKEN BY GOP

BETWEEN RECEIPT AI REPORT AND LATE NOVEMBER 1976, CON-
CLUDING "DEPT DOES NOT AT THIS TIME (I.E., DEC. 3, 1976)
HAVE SUFFICIENT INFORMATION TO EVALUATE THE IMPLEMENTATION
OF THESE MEASURES" BY THE GOP.

D. SIMPLE LISTING OF AI, AMRSP AND OTHER OUTSIDE
REPORTS.
KISSINGER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REPORTS, HUMAN RIGHTS
Control Number: n/a
Copy: SINGLE
Sent Date: 14-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE009116
Document Source: CORE
Document Unique ID: 00
Drafter: DPSULLIVAN:KA
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770015-0284
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770150/aaaabrgz.tel
Line Count: 128
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 053371d9-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 MANILA 570
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 23-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3593663
Secure: OPEN
Status: NATIVE
Subject: PART TWO OF HUMAN RIGHTS REPORT
TAGS: SHUM, PFOR, RP, US
To: MANILA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/053371d9-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009